

VIA E-FILE

PATENT APPLICATION  
Docket No. 16497.1.1.4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	
	)	
	)	
Michael T. Carley, et al.	)	
	)	
Serial No.:	10/616,832	) Art Unit
		) 3733
Filed:	July 9, 2003	)
		)
Conf No.:	2679	)
		)
For:	CLOSURE DEVICE AND METHODS	)
	FOR MAKING AND USING THEM	)
		)
		)
Examiner:	Daniel J. Davis	)

VIA E-FILE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated June 30, 2006, Applicant respectfully submits the following to be filed in the above-identified application.

The Examiner has requested an election of a single disclosed species. The Examiner has identified the species as follows:

Species I associated with Figure 1A; and  
Species II associated with Figure 2A;

Applicants acknowledge the Examiner's indication of claim 1 being generic. The Applicants hereby provisionally elect Species II, associated with Figure 2A, with traverse. It is noted that the pending claims, both independent and dependent, are directed to a "method for manufacturing a clip." While the Applicant recognizes that the clips of Figures 1A and 2A are structurally distinct, these clips can be formed using the method claimed in pending claims 1-9. Since the method of claims 1-9 can be used to form the clips of Figures 1A and 2A, the Examiner would not be overburdened in examining the claims in these species together, since the subject matter of all of the claims would have the same classification. This is further evidenced by the indication that independent claim 1 is generic to the clips identified in Figures 1A and 2A. Accordingly, Applicants respectfully request that the restriction requirement be withdrawn.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested. In the event that the Examiner wishes to discuss any of the matters contemplated hereby, the Examiner is invited to initiate a telephone conversation with the undersigned.

Dated this 27 day of July, 2006

Respectfully submitted,



FRASER D. ROY  
Attorney for Applicant  
Registration No. 8266  
Customer No. 057360

FDR:al  
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